

Serial No. 09/928,663  
Docket No. NEC01P165-TWb  
WAK.095

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### **REMARKS**

Claims 2-13 are pending in the application. This Amendment cancels claims 1, 14, and 15 without prejudice or disclaimer.

Notwithstanding any claim amendments of the present Amendment or those amendments that may be made later during prosecution, Applicant's intent is to encompass equivalents of all claim elements. Reconsideration in view of the foregoing amendments and the following remarks is respectfully requested.

Applicant gratefully acknowledges the indication by the Examiner that claims 2-13, i.e., all of the claims currently pending in the application, are allowed.

Claims 1, 14 and 15 stand rejected under 35 U.S.C. §112, first and second paragraphs.

This Amendment cancels claims 1, 14, and 15 without prejudice or disclaimer. Hence, the rejection of claims 1, 14, and 15 under 35 U.S.C. §112, first and second paragraphs, is moot. Withdrawal of the rejection of claims 1, 14, and 15 under 35 U.S.C. §112, first and second paragraphs, is respectfully solicited.

### **CONCLUSION**

In view of the foregoing, Applicant submits that claims 2-13, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

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The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: 2/12/04

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that I am filing this Amendment by facsimile with the United States Patent and Trademark Office to Examiner Quyen Phan Leung, Group Art Unit 2828, at Official Facsimile Number (703) 872-9306 this 12<sup>th</sup> day of February, 2004.

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